

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Robert Chambers,	:	
	:	
Petitioner	:	Civil Action 2:08-cv-01009
	:	
v.	:	Judge Marbley
	:	
Warden, Lebanon Correctional Institution,	:	Magistrate Judge Abel
	:	
Respondent	:	

**ORDER**

Petitioner Chambers brings this action under 28 U.S.C. §2254 alleging that he has been held in prison beyond his release date of October 22, 2008. This matter is before the Court on Magistrate Judge Abel's November 5, 2008 Report and Recommendation that the petition for writ of habeas corpus under 28 U.S.C. §2255 be dismissed unless Chambers filed a petition demonstrating that he has exhausted his Ohio court remedies his claims.

No objections to the Report and Recommendation have been filed. Petitioner has failed to present a petition demonstrating that he has exhausted his Ohio court remedies for his federal constitutional claims. Upon *de novo* review as required by 28 U.S.C. §636(b)(1)(B), the Court ADOPTS the Report and Recommendation.

The petition for writ of habeas corpus is DENIED. This action is hereby DISMISSED for failure to exhaust Ohio court remedies. The Clerk of Court is DIRECTED to enter JUDGMENT for respondent.

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge